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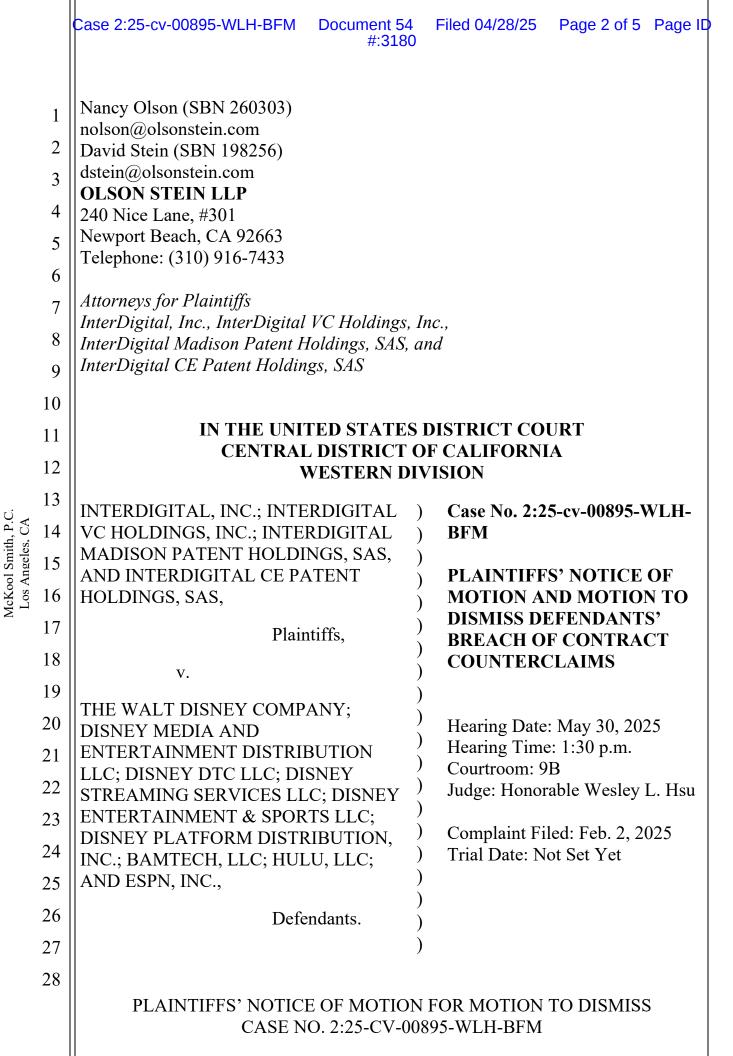
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PLAINTIFFS' NOTICE OF MOTION FOR MOTION TO DISMISS

CASE NO. 2:25-CV-00895-WLH-BFM



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## TO DEFENDANTS' AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, at 1:30 p.m. on May 30, 2025, in the courtroom of the Honorable Wesley L. Hsu located at the First Street Courthouse, 350 West First Street, Los Angeles, CA 90012, in Courtroom 9B, Plaintiffs InterDigital, Inc., InterDigital VC Holdings, Inc., InterDigital Madison Patent Holdings, SAS, and InterDigital CE Patent Holdings, SAS (collectively, "Plaintiffs" or "InterDigital"), will respectfully move this Honorable Court to dismissing Counterclaims 1-4 filed on March 31, 2025 by Defendants The Walt Disney Company; Disney Media and Entertainment Distribution LLC; Disney DTC LLC; Disney Streaming Services LLC; Disney Entertainment & Sports LLC; Disney Platform Distribution, Inc.; BAMTech, LLC; Hulu, LLC; and ESPN, Inc. (collectively, "Disney" or "Defendants") (Dkt. 42), with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on the grounds that the counterclaims fail to state a claim against the Plaintiffs upon which relief may be granted.

Plaintiffs base this Motion upon this Notice of Motion, the attached Memorandum of Points and Authorities, and exhibits thereto, the pleadings, documents, and records on file in this case, all other matters judicially noticeable, such further papers as may be filed in connection with this Motion, and on any further documentary evidence or oral argument as this Court may permit.

This Motion is made following the conference of counsel (by video) pursuant to L.R. 7-3, which took place on April 21, 2025.

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Dated: April 28, 2025 Respectfully submitted, 1 2 /s/ Richard Kamprath Alan P. Block (CA Bar No. 143783) 3 ablock@mckoolsmith.com 4 MCKOOL SMITH, P.C. 300 South Grand Avenue, Suite 2900 5 Los Angeles, California 90071 6 Telephone: (213) 694-1200 Facsimile: (213) 694-1234 7 8 Richard A. Kamprath (admitted pro hac vice) 9 rkamprath@mckoolsmith.com 10 Alexandra Easley (admitted pro hac vice) 11 aeasley@mckoolsmith.com 12 MCKOOL SMITH, P.C. 300 Crescent Court, Suite 1200 13 Dallas, Texas 75201 14 Telephone: (214) 978-4000 Facsimile: (214) 978-4044 15 16 Hannah Mirzoeff (admitted pro hac vice) 17 hmirzoeff@mckoolsmith.com 18 MCKOOL SMITH, P.C. 1301 Avenue of the Americas, 19 32<sup>nd</sup> Floor 20 New York, New York 10019 Telephone: (212) 402-9400 21 Facsimile: (212) 402-9444 22 Joshua W. Budwin (admitted pro hac 23 vice) 24 jbudwin@mckoolsmith.com MCKOOL SMITH, P.C. 25 303 Colorado Street, Suite 2100 26 Austin, Texas 78701 Telephone: (512) 692-8700 27 2 28 PLAINTIFFS' NOTICE OF MOTION AND MOTION TO DISMISS

CASE NO. 2:25-CV-00895-WLH-BFM

McKool Smith, P.C.

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